

**BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA**

**REGULAR MEETING**

**February 06, 2007**

---

**COUNTY COMMISSIONERS**

**Welton G. Cadwell, Chairman**

**Jennifer Hill, Vice Chairman**

**Elaine Renick, District #2**

**Debbie Stivender, District #3**

**Linda Stewart, District #4**

---

**Cindy Hall, County Manager**

**Sanford A. Minkoff, County Attorney**

**James C. Watkins, Clerk to the Board**

**Other than the zoning and road vacation public hearings, the Board will not receive comment from the public on matters not pertaining to the issues before them.**

**DISCLAIMER**

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

In addition to regular Board meetings, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which any member of the public may comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

**ITEMIZED AGENDA**

**February 06, 2007**

9:00 A.M.      Invocation

Pledge of Allegiance

**I.      AGENDA UPDATE**

Discussion regarding proposed revisions to today's Agenda.

**II.     MINUTE APPROVAL**

Approval of the following Minutes:

January 9, 2007 (Regular Meeting)

January 16, 2007 (Regular Meeting)

### **III. CLERK OF COURT'S CONSENT AGENDA**

Approval of Clerk of Courts' Consent Agenda (Items 1 through 11)

1. List of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office. - Acknowledge Receipt
2. Monthly Distribution of Revenue Traffic/Criminal Cases for the month ending December 31, 2006, in the amount of \$159,429.10. Same period, last year: \$151,920.12.- Acknowledge Receipt
3. North Lake County Hospital District's Annual Financial Report, dated September 30, 2006, including audit, auditor general management letter, and applicable responses. - Acknowledge Receipt
4. MeMemorandum and accompanying copy of Intergovernmental Cooperative Agreement for the City of Eustis, the Town of Lady Lake, and the City of Tavares, together with an Affidavit regarding authenticity. - Acknowledge Receipt
5. Amended budget for the Village Center Community Development District for the Fiscal Year 2005-2006 in accordance with Chapter 190.008(2)(b)(c) Florida Statutes. - Acknowledge Receipt
6. Ordinance No. 915, from the City of Mount Dora, annexing Indian Springs property, located north of Wolf Branch Road and east of Britt Road. Passed and ordained the 16<sup>th</sup> day of January, 2007, by the City Council of the City of Mount Dora, Florida. - Acknowledge Receipt
7. Before the Florida Public Service Commission: Notice of Continuation of Hearing and Prehearing to Florida Power and Light Company, the City of North Miami and All Other Interested Persons.

Docket No. 060198-EI – Requirement For Investor-Owned Electric Utilities To File Ongoing Storm Preparedness Plans And Implementation Cost Estimates.

Notice is hereby given that a hearing will be held before the Florida Public Service Commission regarding the petition filed by the City of North Miami requesting a hearing pursuant to sections 120.569 and 120.57 (1), Florida Statutes, on the portion of Order No. PSC-06-0781-PAA-EI, issued September 19, 2006, that proposed to accept Florida Power and Light Company's six-year average tree trimming cycle for its distribution laterals within the City of North Miami's boundaries. The hearing will be held at the following time and place:

9:30 a.m. (EST), Monday, February 5, 2007  
Florida Public Service Commission  
Betty Easley Conference Center, Room 148  
4075 Esplanade Way  
Tallahassee, Florida

Recommendation: Acknowledge Receipt

8. Annexation Ordinances from the City of Tavares, as follows:

Ordinance No. 2006- 50 Amending the boundaries of the City of Tavares, by annexing approximately 30 acres located on the north side of Lane Park Road, approximately .9 miles west of the intersection of Lane Park Road and State Road 19. Passed and Ordained the 15<sup>th</sup> of November, 2006.

Ordinance No. 2006-52 – Amending the boundaries of the City of Tavares, by annexing approximately 3 acres located 900 feet south of the intersection of County Road 448 on Lake Industrial Boulevard. Passed and Ordained the 20th day of December, 2006, by the City Council of the City of Tavares, Florida.

Recommendation: Acknowledge Receipt

9. Annexation Ordinances from Town of Lady Lake, as follows:

Ordinance No. 2006-01 (1310 Wildwood Street, 9.16 acres)

Ordinance No. 2006-16 (38937 Rolling Acres Road, 1.72 acres)

Ordinance No. 2006-21 (Hollinshed Avenue, .45 acres)

Ordinance No. 2006-62 (West of Clay Avenue, .45 acres)

Other Ordinances from the Town of Lady Lake, as follows:

Ordinance No. 2006-11 (Granting a special use for Mini-Warehouses used solely as storage and recreational vehicle storage on certain property)

Ordinance No. 2006-25 (Amending the Ordinance No. 81-8(83), providing for a small scale future land use map amendment in the Comprehensive Plan)

Recommendation: Acknowledge Receipt

10. Ordinances from the Town of Lady Lake, as follows:

Ordinance No. 2006-73 – Amending the Town of Lady Lake Land Development Regulations; Chapter 20, Commercial Design Standards, Section B, adding provisions governing waivers and appeals. Passed and Ordained the 16<sup>th</sup> of November, 2006, by the Town Commission of the Town of Lady Lake.

Ordinance No. 2006-76 – Establishing a Citizens' Review Board (CRB) to adjudicate grievances in lieu of an arbitrator previously holding this authority, setting for the criteria for Board membership, establishing hearing procedures, and repealing all conflicting provisions. Passed and Ordained the 16<sup>th</sup> day of November, 2006, by the Town Commission of the Town of Lady Lake, Florida.

Ordinance No. 2006-77 – Amending the Town of Lady Lake Land Development Regulations; amending and adding provisions governing exceptions for accessory structures not exceeding 200 square feet on a non residential lot previously granted site plan approval. Passed and Ordained the 22<sup>nd</sup> day of December, 2006, by the Town Commission of the Town of Lady Lake, Florida.

Ordinance No. 2006-78 – Amending the Town of Lady Lake Land Development Regulations, regarding Transportation Proportionate Fair Share Program. Passed Lady Lake.

Recommendation: Acknowledge Receipt

11. Minutes of the September 18, 2006 Audit Committee Meeting of the Arlington Ridge Community Development District, as approved at the November 14, 2006 meeting. - Acknowledge Receipt.

**IV. COUNTY MANAGER'S CONSENT AGENDA (Items 3 through 18)**

## **Budget**

### [Tab 3](#)

Approve Budget Change Request:

- Budget Transfer - Renewal Sales Tax Capital Projects Fund, Department of Facilities Development and Management, Administration Division. Transfer \$2,300 from Reserve for Operations to Buildings. Funds needed to cover architect's additional fees for re-bid of Jail and Prelude Re-roof project. Funds available in Reserve for Operations. After this transfer, the balance in the Reserve for Operations account will be \$75,466.

## **Growth Management**

### [Tab 4](#)

Request for approval and execution of a Release of Fine. Property owner: Marshall H. & Betty L. Gaard, Code Case# 2004110207 - Commission District 5.

### [Tab 5](#)

Request for approval and execution of a Release of Fine. Property owner: Marshall H. & Betty L. Gaard, Code Case# 2004030074 - Commission District 5.

### [Tab 6](#)

Request for approval and execution of a Release of Fine. Property owner: Marshall H. Gaard, Trustee, Code Case# 2004090157 - Commission District 5.

### [Tab 7](#)

Request for approval and execution of a Release of Fine. Property owner: Marshall H. Gaard, Trustee, Code Case# 2005060118 - Commission District 5.

### [Tab 8](#)

Request for approval and execution of a Release of Fine. Property owner: Marshall H. & Betty L. Gaard, Code Case# 2004100156 - Commission District 5.

### [Tab 9](#)

Request for approval and execution of a Release of Fine. Property owner: Marshall H. & Betty L. Gaard, Code Case# 2004110128 - Commission District 5.

### [Tab 10](#)

Request for approval and execution of a Release of Fine. Property owner: Debra J. Ragan, Code Case# 2005040107 - Commission District 5.

### [Tab 11](#)

Request for approval and execution of a Release of Fine. Property owner: Ron Benedict, Code Case# 1999050029 - Commission District 3.

### [Tab 12](#)

Request for approval and execution of a Release of Fine. Property Owner: AJ Petroleum LLC/Sam Mansour & Florance Mansour, Case# 2006080231 - Commission District 1.

### [Tab 13](#)

Request for approval and execution of a Release of Fine. Property owner: Eugene C. Rohrer, Code Case# CEB 90-99 - Commission District 1.

## **Procurement**

### [Tab 14](#)

Approval and execution of a contract with HNTB Corporation for engineering services for the Lakeshore Drive Bridge Replacement in the amount of \$496,570.00 - Commission District 2.

## **Public Works**

[Tab 15](#) Request authorization to release a maintenance bond in the amount of \$51,901.03 posted for Orange Tree Phase 5. Orange Tree Phase 5 consists of 44 lots and is located in Section 14, Township 24 South, Range 26 East - Commission District 2.

[Tab 16](#) Request authorization to accept the final plat for The Oaks At Summer Glen and all areas dedicated to the public as shown on the The Oaks at Summer Glen final plat, accept a letter of credit for performance in the amount of \$318,950.96, and execute a Developer's Agreement for Construction of Improvements between Lake County and Charlie Johnson Builder, Inc. The Oaks at Summer Glen consists of 56 lots and is located in Section 7, Township 19 South, Range 27 East - Commission District 4.

[Tab 17](#) Request to have the week of February 18 through 24, 2007 officially declared National Engineers Week in Lake County and have the Chairman present the Proclamation recognizing same.

### **Tourism**

[Tab 18](#) Approval of five Resolutions and five awards of \$3,000 each to K-Mart Corporation in Mt. Dora, Super Target in Clermont, Publix Supermarkets, Inc. in Eustis, Arlington Ridge Community Development District in Leesburg, and Winn Dixie Stores in Leesburg for participating in training of the disabled through the Jobs Growth Investment Fund Program.

## **V. COUNTY ATTORNEY'S CONSENT AGENDA (Items 19 through 20)**

[Tab 19](#) Approval of Lease Agreement between Lake County and Data Graphics.

[Tab 20](#) Approval of Mediated Settlement Agreements with Eagle R&R, Inc. and LM Reed Enterprises, LC and approval of associated Budget Amendment.

## **VI. AWARDS AND RECOGNITIONS**

### **EMPLOYEE AWARDS**

#### **Presentation of Award to Employees with Five Years of Service**

Jim Dowling, Senior GIS Analyst  
Growth Management/GIS

James Kennedy, Equipment Operator IV  
Environmental Services/Solid Waste Disposal Operations

Tony Lopresto, Licensing Investigator  
Growth Management/Building Services/Main Office

John Maruniak, Transportation Planner/Engineer III  
Public Works/Engineering/Transportation

Joseph Petrik, Equipment Operator III  
Public Works/Road Operations/Maintenance Area II

Greg Ybarra, Equipment Operator I  
Public Works/Road Operations/Maintenance Area III

Gregg Welstead, Deputy County Manager  
County Manager

Dilcy Baltazar, Senior Landfill Attendant

Environmental Services/Solid Waste Administration

Kathleen Hoehn, Library Assistant  
Community Services/Library Services/Cooper Memorial Library

**Presentation of Award to Employees with Ten Years of Service**

Eric Palmer, Battalion Fire Chief  
Public Safety/Fire Rescue

Dale Greiner, Building Services Director  
Growth Management/Building Services

**Presentation of Award to Employees with Fifteen Years of Service**

Michael Cordle, Fire Lieutenant/EMT  
Public Safety/Fire Rescue

Randy Dean, Area Maintenance Supervisor  
Public Works/Road Operations

**Presentation of Award to Employees with Twenty Years of Service**

Gary Steverson, Equipment Operator III  
Public Works/Road Operations/Maintenance Area III

**CUSTOMER SERVICE AWARD**

Carol Boyle, Senior Assessment Specialist – Budget  
Pat Werner, Lead Network Technician – Information Technology  
Erik Ross, Software/Engineer Programmer – Information Technology  
Anita Greiner, Chief Planner – Growth Management  
Sheila Short, Senior Planner – Growth Management

**COMMUNITY SERVICE AWARD**

Amy Bradford, Administrative Office Associate V – Community Services

**4<sup>TH</sup> QUARTER AWARDS**

**Employee of the Quarter**

James Condon, Facilities Maintenance Coordinator – Facilities Development & Management

**Supervisor of the Quarter**

Gary Debo, Solid Waste Operations Director – Environmental Services

**RETIREMENT**

Ava Kronz, Special Programs Director  
Tourism & Business Relations

David Block, Firefighter/EMT  
Public Safety/Fire Rescue

**VII.**

**PRESENTATIONS**

[Tab 21](#)

**Public Works:** Presentation by HNTB as a Kick-Off briefing on the CR 19A PD&E Study Phase. The limits of the project are from US 441/SR 500 to Old 441/Eudora Road. The study addressed short term solutions, such as signalizing certain intersections and widening crossroads - Commission District 4.

**VIII.**

**COUNTY MANAGER'S DEPARTMENTAL BUSINESS**

## **Community Services**

- [Tab 22](#) Recommend approval of agreement between the BCC and LifeStream Behavioral Center in the amount of \$149,679 (already approved as budget item) for the construction of a facility for Adult Day Services and Geriatric Programs and authorize Chair to sign the agreement - Commission District 1.

## **Growth Management**

- [Tab 23](#) Approval of the Purchase and Sales Agreement Between the County and Marilyn Andrews Burt, Pamela Laux and Ronald Laux for a 60(+/-) Acre Parcel in the Lady Lake Area. Authorize Chairman to Execute Necessary Closing Documents - Commission District 5.

## **IX. PUBLIC HEARINGS**

### **PUBLIC HEARING - 9:00 A.M. or As Soon Thereafter**

- [Tab 24](#) **PUBLIC HEARING:** Approval of Non-Emergency Stretcher and Wheelchair Transportation Ordinance.
- [Tab 25](#) **PUBLIC HEARING:** Approval of Amended Budget to include purchase order and project carry-forwards from Fiscal Year 2006.
- [Tab 26](#) **PUBLIC HEARING:** For the Board of County Commissioners to hold a public hearing to provide the citizens of Lake County an opportunity to comment on the FY 2005-06 Consolidated Annual Performance and Evaluation Report.

## **X. OTHER BUSINESS**

- [Tab 27](#) Approval of appointment of Eustis Commissioner Karen LeHeup-Smith to represent the League of Cities on the Lake County Impact Fee Committee to complete an unexpired term ending Aug. 6, 2008.

## **XI. REPORTS**

- A. **County Attorney**
- B. **County Manager**
- C. **Commissioner Hill - Vice Chairman and District #1**
- D. **Commissioner Renick - District #2**
- E. **Commissioner Stivender - District #3**
- F. **Commissioner Stewart - District #4**
- G. **Commissioner Cadwell - Chairman and District #5**

## **CITIZEN QUESTION AND COMMENT PERIOD**

**At this point in the meeting, the Board of County Commissioners will hear questions, comments, and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration.**

NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

**The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.**

---

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

**Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.**